

In the United States Patent and Trademark Office**RECEIVED
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Applicants:	Russ Thorson et al.	Docket No.:	19,519
Serial No.:	10/734,843	Group:	1734
Confirmation No:	1986	Examiner:	Mayes, Melvin C.
Filed:	December 12, 2003	Date:	November 7, 2006
For:	METHOD OF FORMING A WAIST BAND ON AN ABSORBENT ARTICLE		

Terminal Disclaimer

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Present Application

1. Kimberly-Clark Worldwide, Inc., doing business at 401 North Lake Street, Neenah, Wisconsin, 54956, is the assignee of the entire right, title and interest in and to the above-referenced present pending U.S. patent application serial number 10/734,843 filed on December 12, 2003 for "METHOD OF FORMING A WAIST BAND ON AN ABSORBENT ARTICLE".
2. Assignment of the inventors' rights in present patent application serial number 10/734,843 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 014806, Frame 0654.

Commonly Assigned Patent

1. Kimberly-Clark Worldwide, Inc. is also the assignee of the entire right, title and interest in and to copending U.S. patent number 7,018,369 issued on March 28, 2006 for "Disposable Pant-Like Undergarment Having an Elastic Band Adjacent the Waist Opening".
2. Assignment of the inventors' rights in U.S. patent number 7,018,369 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 014156, Frame 0719.
3. Kimberly-Clark Worldwide, Inc. is also the assignee of the entire right, title and interest in and to copending U.S. patent number 6,979,380 issued on December 27, 2005 for "Three-Piece Disposable Undergarment and Method for the Manufacture Thereof".
4. Assignment of the inventors' rights in U.S. patent number 6,979,380 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 013357, Frame 0824.

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Kimberly-Clark Worldwide, Inc. certifies:

- (a) that the evidentiary documents have been reviewed; and
- (b) that to the best of Kimberly-Clark Worldwide, Inc.'s knowledge and belief, title of present U.S. patent application serial number 10/734,843 is in Kimberly-Clark Worldwide, Inc.

Terminal Disclaimer

1. Kimberly-Clark Worldwide, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present U.S. patent application serial number 10/734,843, which would extend beyond the expiration date of the full statutory term, including any applicable term extension, defined in 35 U.S.C. 154 and 156 for U.S. patent number 7,018,369.
2. Kimberly-Clark Worldwide, Inc. hereby agrees that any patent granted upon present U.S. patent application serial number 10/734,843 shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to U.S. patent number 7,108,369 and 6,979,380. This agreement shall run with any patent granted upon present U.S. patent application serial number 10/734,843 and shall be binding upon Kimberly-Clark Worldwide, Inc., its successors and/or assigns.

Exceptions to Terminal Disclaimer

In the event that, after the filing of this Terminal Disclaimer, U.S. patent number 7,018,369 and 6,979,380:

- (a) expires for failure to pay a maintenance fee;
- (b) is held unenforceable;
- (c) is found invalid by a court of competent jurisdiction;
- (d) is statutorily disclaimed in whole;
- (e) is terminally disclaimed under 37 C.F.R. 1.321(a);
- (f) has all of its claims canceled in a reexamination certificate; or
- (g) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. 154 prior to the expiration of its full statutory term;

Kimberly-Clark Worldwide, Inc. specifically does not disclaim any terminal part of any patent granted on the present U.S. patent application serial number 10/734,843 prior to the expiration date of the term defined in 35 U.S.C. 154 and 156 including any term extensions as applicable to any patent granted on U.S. patent 7,018,369 and 6,979,380.

Fee

Pursuant to 37 C.F.R. 1.321(c)(1), please charge the \$110.00 fee due in accordance with 37 C.F.R. 1.20(d) to Kimberly-Clark Worldwide, Inc.'s deposit account number 11-0875.

The undersigned is an attorney of record in the present application having serial no.10/734,843.

Respectfully submitted,
KIMBERLY-CLARK WORLDWIDE, INC.
RUSS THORSON ET AL.

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By: Thomas J. Connelly
Thomas J. Connelly

Reg. No. 28404

Date: November 7, 2006

CERTIFICATE OF TRANSMISSION

I, Lanette Burton, hereby certify that on November 7, 2006, this Terminal Disclaimer is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

Typed or printed name of person signing this certificate:

Lanette Burton

Signature:

Lanette Burton